

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
	:	CRIMINAL ACTION
v.	:	
	:	
LUIS GUERRERO-GAVIRIA	:	No. 06-119

ORDER

AND NOW, this 27th day of July 2009, upon consideration of Defendant Luis Guerrero-Gaviria's Motion to Vacate/Set Aside/Correct Sentence Under 28 U.S.C. § 2255 (Doc. 38, 40), the Government's Response (Doc. 42), Gaviria's Reply (Doc. 43), and the Government's Sur-Reply (Doc. 44), and in accordance with the attached Memorandum, it is hereby ORDERED that

- (1) Defendant's § 2255 Motion (Doc. 38, 40) is DENIED;
- (2) Defendant's Request for a Certificate of Appealability is DENIED; and
- (4) the Clerk shall mark the corresponding civil action for Defendant's Motion (Civ. A. No. 08-5954) CLOSED for statistical purposes.

BY THE COURT:

/s/ Michael M. Baylson
Michael M. Baylson, U.S.D.J.